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**U.S. District Court
Eastern District of Virginia - (Alexandria)
CIVIL DOCKET FOR CASE #: 1:11-cv-00713-AJT -TCB**

Garland v. U.S. DOJ, National Security Division et al
Assigned to: District Judge Anthony J Trenga
Referred to: Magistrate Judge Theresa Carroll Buchanan
Case in other court: Texas Southern, 4:11-cv-00548

Date Filed: 07/06/2011
Date Terminated: 12/09/2011
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Cause: 05:552 Freedom of Information Act

Plaintiff

Danice Noelle Garland

represented by **Danice Noelle Garland**
10311 Brittenford Drive
Vienna, VA 22182
(571) 354-3300
PRO SE

Defendant

U.S. DOJ, National Security Division
TERMINATED: 10/19/2011

represented by **Anna Elizabeth Cross**
United States Attorney Office
2100 Jamieson Ave
Alexandria, VA 22314
NA
703 299-3891
Email: anna.cross@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lauren A. Wetzler
United States Attorney Office
2100 Jamieson Ave
Alexandria, VA 22314
NA

(703) 299-3752
Fax: (703) 299-3983
Email: lauren.wetzler@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

**U.S. DOJ, Office of the Atty General,
Info. Policy**
TERMINATED: 10/19/2011

represented by **Anna Elizabeth Cross**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lauren A. Wetzler
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**U.S. DOJ, Federal Bureau of
Investigation**

represented by **Anna Elizabeth Cross**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Lauren A. Wetzler
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/14/2011	<u>1</u>	COMPLAINT against U.S. DOJ, Federal Bureau of Investigation, U.S. DOJ, National Security Division, U.S. DOJ, Office of the Atty General, Info. Policy. filed by Danice Noelle Garland. #(1) Civil Cover Sheet) (aalonzo,). [Transferred from Texas Southern on 7/6/2011.] (Entered: 02/15/2011)
02/14/2011	<u>2</u>	EXHIBIT and Witness List re: <u>1</u> Complaint by Danice Noelle Garland, filed. (aalonzo,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 02/15/2011)
02/14/2011	<u>5</u>	MOTION to Seal Case by Danice Noelle Garland, filed. Motion Docket Date 3/4/2011. (Attachments: # <u>1</u> Motion and Order, # <u>2</u> Motion and Order) (mewilliams,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/17/2011)

02/15/2011	<u>3</u>	Notice to Pauper of Case Opening. Party notified, filed. (aalonzo,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 02/15/2011)
02/16/2011	<u>4</u>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 6/27/2011 at 02:30 PM in Courtroom 9F before Judge Nancy F. Atlas.(Signed by Judge Nancy F. Atlas) Parties notified. (jhancock)[Transferred from Texas Southern on 7/6/2011.] (Entered: 02/16/2011)
03/18/2011		Summons Issued as to U.S. DOJ, Office of the Atty General, United States Attorney's Office and USDOJ;Office of Attorney General: Office of Information Policy [MC 11-69], filed. [USM 285 provided for defendants](bdaniel,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)
03/18/2011		Document(s) Sent re: Summons Issued as to U.S.Doj, Office of the Attorney General, United States Attorney's Office and USDOJ;Office of Attorney General:Office of Information Policy; [USM 285 form and Summons sent to U.S. Marshal's office for service], filed. (bdaniel,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)
03/18/2011		Summons Issued as to U.S. DOJ, National Security Division [MC 11-68], filed. [USM 285 provided for defendant](bdaniel,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)
03/18/2011		Document(s) Sent re: Summons Issued as to U.S. DOJ, National Security division [USM 285 form and Summons sent to U.S. Marshal's office for service.], filed. (bdaniel,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)
03/18/2011		Summons Issued as to U.S. Attorney [MC 11-68], filed. [USM 285 provided for defendant](bdaniel,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)
03/18/2011		Document(s) Sent re: Summons Issued as to United States Attorney [USM 285 form and Summons sent to U.S.Marshal's office for service.], filed. (bdaniel,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)
03/18/2011		Summons Issued as to Office of the Atty General [MC11-68], filed. [USM 285 provided for defendant](bdaniel,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)
03/18/2011		Document(s) Sent re: Summons Issued as to USA [USM 285 form and Summons sent to U.S. Marshal's office for service.], filed. (bdaniel,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)

03/18/2011		Summons Issued as to Federal Bureau of Investigation [MC 11-70], filed. [USM 285 form provided for defendant](bdaniel,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)
03/18/2011		Document(s) Sent re: Summons Issued as to USDOJ/Federal Bureau of Investigation [USM 285 form and Summons sent to U.S. Marshal's Office for service, filed. (bdaniel,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)
03/18/2011		Summons Issued as to Office of the United States Atty General [MC 11-70], filed. [USM 285 provided for defendant](bdaniel,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)
03/18/2011		Document(s) Sent re: Summons Issued as to U.S. Attorney General, filed. [USM 285 form and Summons sent to U.S. Marshal's Office for service.] (bdaniel,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)
03/18/2011		Summons Issued as to U.S. Attorney Attorney's Office [MC 11-70], filed.(bdaniel,) [USM 285 provided for defendant] [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)
03/18/2011		Document(s) Sent re: Summons Issued as to U.S. Attorney's Office [USM 285 form and Summons sent to U.S. Marshal's Office for service], filed. (bdaniel,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/18/2011)
03/21/2011	<u>6</u>	ORDER denying <u>5</u> Motion to Seal.(Signed by Judge Nancy F. Atlas) Parties notified. (sashabranner,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/21/2011)
03/29/2011	<u>7</u>	CERTIFICATE OF INTERESTED PARTIES by U.S. DOJ, Federal Bureau of Investigation, U.S. DOJ, National Security Division, U.S. DOJ, Office of the Atty General, Info. Policy, filed.(Longoria, Samuel) [Transferred from Texas Southern on 7/6/2011.] (Entered: 03/29/2011)
04/01/2011	<u>8</u>	RETURN of Service of SUMMONS Executed as to U.S. DOJ, National Security Division served on 3/25/2011, answer due 5/24/2011, filed.(mfoley) [Transferred from Texas Southern on 7/6/2011.] (Entered: 04/04/2011)
04/01/2011	<u>9</u>	RETURN of Service of SUMMONS Executed as to U.S. DOJ, Office of the Atty General, Info. Served on 3/25/2011, answer due 5/24/2011, filed. (Attachments: # <u>1</u> certified mail receipt)(jekdall,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 04/04/2011)
04/01/2011	<u>10</u>	RETURN of Service Executed as to United States Attorney's Office on 3/22/2011 re: Summons, filed.(aboyd) [Transferred from Texas Southern on 7/6/2011.] (Entered: 04/04/2011)

04/05/2011	<u>1</u> <u>1</u>	RETURN of Service of SUMMONS Executed as to U.S. DOJ, Federal Bureau of Investigation served on 3/28/2011, answer due 5/27/2011, filed.(glyons) (Additional attachment(s) added on 4/6/2011: # <u>1</u> Certified Mail Receipt) [Transferred from Texas Southern on 7/6/2011.] (Entered: 04/06/2011)
04/19/2011	<u>1</u> <u>2</u>	MOTION for Summary Judgment by U.S. DOJ, Federal Bureau of Investigation, U.S. DOJ, National Security Division, U.S. DOJ, Office of the Atty General, Info. Policy, filed. Motion Docket Date 5/10/2011. (Attachments: # <u>1</u> Exhibit)(Longoria, Samuel) [Transferred from Texas Southern on 7/6/2011.] (Entered: 04/19/2011)
05/02/2011	<u>1</u> <u>3</u>	NOTICE of Change of Address by Danice Noelle Garland, filed. (jdav,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 05/03/2011)
05/02/2011	<u>1</u> <u>5</u>	NOTICE of Change of Address by Danice Noelle Garland, filed. (jdav,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 05/03/2011)
05/03/2011	<u>1</u> <u>4</u>	ORDER This case is before the Court on Defendants Motion for Summary Judgment (Motion) [Doc. # 12]. It is herebyORDERED that Plaintiff shall file her response on or before May 24, 2011. Plaintiff is cautioned that failure to respond as ordered by May 24, 2011, may, if appropriate, result in summary judgment being entered in favor of Defendants. Responses due by 5/24/2011.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 05/03/2011)
05/16/2011	<u>1</u> <u>6</u>	EXHIBITS re: <u>1</u> Complaint by Danice Noelle Garland, filed.(dcartmill) [Transferred from Texas Southern on 7/6/2011.] (Entered: 05/16/2011)
05/20/2011	<u>1</u> <u>7</u>	RETURN of Service of SUMMONS Executed as to U.S. DOJ, National Security Division served on 5/9/2011, answer due 7/8/2011, filed.(mfoley) [Transferred from Texas Southern on 7/6/2011.] (Entered: 05/20/2011)
05/20/2011	<u>1</u> <u>8</u>	Process Receipt and Return of Service by the US Marshal SUMMONS Executed as to U.S. DOJ, Office of the Atty General, Info. Policy served on 5/9/2011, answer due 5/31/2011, filed.(amaly) [Transferred from Texas Southern on 7/6/2011.] (Entered: 05/20/2011)
05/20/2011	<u>1</u> <u>9</u>	Process Receipt and Return of Service by the U.S. Marshal. Summons executed on 5/9/11 as to the US Department of Justice, National Security Division, filed.(amaly) [Transferred from Texas Southern on 7/6/2011.] (Entered: 05/20/2011)
05/26/2011	<u>2</u> <u>0</u>	MOTION for Mistrial and to Change Venue to Eastern District of Virginia by Danice Noelle Garland, filed. Motion Docket Date 6/16/2011. (pyebernetsky,) (Main Document 20 replaced on 5/26/2011) (pyebernetsky,). [Transferred from Texas Southern on 7/6/2011.] (Entered: 05/26/2011)

05/26/2011	<u>2</u> <u>1</u>	RESPONSE to <u>12</u> Defendant's MOTION for Summary Judgment, filed by Danice Noelle Garland. (pyeburnetsky,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 05/26/2011)
06/09/2011	<u>2</u> <u>2</u>	NOTICE of Change of Address by Danice Noelle Garland, filed. (kgilyard,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 06/09/2011)
06/17/2011	<u>2</u> <u>3</u>	MEMORANDUM AND ORDER Answer or other responsive pleading under Federal Rule of Civil Procedure 12 on or before 6/24/2011. It is further ORDERED that on or before Friday, June 24, 2011, Plaintiff and each Defendant must advise the Court in writing of their position regarding whether administrative remedies were properly exhausted in this case before suit was filed, and provide any available evidence regarding exhaustion. ORDERED that his case remains set for an initial pretrial and scheduling conference on Monday, June 27, 2011 at 2:30 p.m.(Signed by Judge Nancy F. Atlas) Parties notified.(chorace) [Transferred from Texas Southern on 7/6/2011.] (Entered: 06/17/2011)
06/23/2011	<u>2</u> <u>4</u>	MOTION for Summary Judgment by U.S. DOJ, National Security Division, filed. Motion Docket Date 7/14/2011. (Longoria, Samuel) [Transferred from Texas Southern on 7/6/2011.] (Entered: 06/23/2011)
06/23/2011	<u>2</u> <u>5</u>	MOTION for Summary Judgment by U.S. DOJ, Office of the Atty General, Info. Policy, filed. Motion Docket Date 7/14/2011. (Attachments: # <u>1</u> Exhibit)(Longoria, Samuel) [Transferred from Texas Southern on 7/6/2011.] (Entered: 06/23/2011)
06/23/2011	<u>2</u> <u>6</u>	ANSWER to Complaint by U.S. DOJ, Federal Bureau of Investigation, filed. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Longoria, Samuel) [Transferred from Texas Southern on 7/6/2011.] (Entered: 06/23/2011)
06/27/2011	<u>2</u> <u>8</u>	MINUTE ENTRY ORDER: Pretrial Conference held Appearances: Samuel G Longoria. Ct Reporter: ERO. Answer due by 6/29/2011. On Thursday, June 30, 2011, the Court will GRANT the Motion to Transfer Venue by agreement of the parties. (Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner) [Transferred from Texas Southern on 7/6/2011.] (Entered: 06/29/2011)
06/28/2011	<u>2</u> <u>7</u>	ANSWER to <u>1</u> Complaint by U.S. DOJ, National Security Division, filed. (Attachments: # <u>1</u> Exhibit)(Longoria, Samuel) [Transferred from Texas Southern on 7/6/2011.] (Entered: 06/28/2011)
06/29/2011	<u>2</u> <u>9</u>	ANSWER to <u>1</u> Complaint by U.S. DOJ, Office of the Atty General, Info. Policy, filed.(Longoria, Samuel) [Transferred from Texas Southern on 7/6/2011.] (Entered: 06/29/2011)

06/30/2011	<u>30</u>	MEMORANDUM AND ORDER granting in part <u>20</u> MOTION to Change Venue to Eastern District of Virginia. This case is TRANSFERRED to the United States District Court for the Eastern District of Virginia, Alexandria Division.(Signed by Judge Nancy F. Atlas) Parties notified.(sashabranner,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 06/30/2011)
06/30/2011	<u>31</u>	Interdistrict transfer to Eastern District of Virginia. Certified copy of transfer order, certified docket sheet, and two copies of transfer letter (with a return envelope) will be sent. Case terminated on 6/30/2011, filed. (sashabranner,) (Main Document 31 replaced on 6/30/2011) (sashabranner,). [Transferred from Texas Southern on 7/6/2011.] (Entered: 06/30/2011)
06/30/2011		Document(s) Sent by FedEx to Eastern District of Virginia; Tracking Number 8764 3284 2803 re: <u>30</u> Memorandum and Order, <u>31</u> Case Transferred Out to Another District,, filed. (sashabranner,) [Transferred from Texas Southern on 7/6/2011.] (Entered: 06/30/2011)
07/06/2011	<u>32</u>	Case transferred in from District of Texas Southern; Case Number 4:11-cv-00548. Original file and docket sheet received. (Entered: 07/06/2011)
07/19/2011	<u>33</u>	NOTICE of Appearance by Anna Elizabeth Cross on behalf of U.S. DOJ, Federal Bureau of Investigation, U.S. DOJ, National Security Division, U.S. DOJ, Office of the Atty General, Info. Policy (Cross, Anna) (Entered: 07/19/2011)
08/17/2011	<u>34</u>	NOTICE of Change of Address and Updated Telephone Number by Danice Noelle Garland (stas) (Entered: 08/17/2011)
08/26/2011	<u>35</u>	NOTICE by U.S. DOJ, Federal Bureau of Investigation <i>Report to the Court Regarding FBI's Production of Documents</i> (Attachments: # <u>1</u> Exhibit A)(Cross, Anna) (Entered: 08/26/2011)
09/12/2011	<u>36</u>	MOTION to Dismiss for Lack of Jurisdiction <i>or, in the Alternative, for Summary Judgment</i> by U.S. DOJ, National Security Division, U.S. DOJ, Office of the Atty General, Info. Policy. (Cross, Anna) (Entered: 09/12/2011)
09/12/2011	<u>37</u>	Memorandum in Support re <u>36</u> MOTION to Dismiss for Lack of Jurisdiction <i>or, in the Alternative, for Summary Judgment</i> filed by U.S. DOJ, National Security Division, U.S. DOJ, Office of the Atty General, Info. Policy. (Attachments: # <u>1</u> Exhibit 1 and 2)(Cross, Anna) (Entered: 09/12/2011)
09/12/2011	<u>38</u>	Notice of Hearing Date <i>October 14, 2011</i> re <u>36</u> MOTION to Dismiss for Lack of Jurisdiction <i>or, in the Alternative, for Summary Judgment</i> (Cross, Anna) (Entered: 09/12/2011)

09/12/2011	3 9	Roseboro Notice by U.S. DOJ, National Security Division, U.S. DOJ, Office of the Atty General, Info. Policy (Cross, Anna) (Entered: 09/12/2011)
09/13/2011		Set Deadlines as to 36 MOTION to Dismiss for Lack of Jurisdiction <i>or, in the Alternative, for Summary Judgment</i> . Motion Hearing set for 10/14/2011 at 10:00 AM in Alexandria Courtroom 701 before District Judge Anthony J Trenga. (clar,) (Entered: 09/13/2011)
10/14/2011	4 0	Minute Entry for proceedings held before District Judge Anthony J Trenga: Motion Hearing held on 10/14/2011 re 36 MOTION to Dismiss for Lack of Jurisdiction <i>or, in the Alternative, for Summary Judgment</i> filed by U.S. DOJ, National Security Division, U.S. DOJ, Office of the Atty General, Info. Policy: Appearance of counsel for the Deft only. The Court advises that the Court has reviewed the Motion and will issue an Order. Order to follow. (Court Reporter R. Montgomery) (kbro) (Entered: 10/14/2011)
10/14/2011	4 1	NOTICE TO THE COURT of Pending Ruling on Pltf's Response to Deft's Motion for Summary Judgment and/or Pending Response to Pltf's Request for Mistrial by Danice Noelle Garland (Attachments: # 1 Cover Letter)(pmil) (Entered: 10/14/2011)
10/19/2011	4 2	ORDER that summary judgment be, and the same hereby is, GRANTED in favor of Defts Office of Information Policy ("OIP") and National Security Division ("NSD") and the Complaint be, and the same hereby is, DISMISSED with prejudice as to them; and it is further ORDERED that the case shall proceed as to Deft Federal Bureau of Investigation ("FBI"), which shall file any motion for summary judgment on or before November 1, 2011. (See order for details). Signed by District Judge Anthony J Trenga on 10/19/2011. Copies sent per order. (stas) (Entered: 10/19/2011)
11/01/2011	4 3	MOTION for Summary Judgment by U.S. DOJ, Federal Bureau of Investigation. (Cross, Anna) (Entered: 11/01/2011)
11/01/2011	4 4	Memorandum in Support re 43 MOTION for Summary Judgment filed by U.S. DOJ, Federal Bureau of Investigation. (Attachments: # 1 Exhibit 1)(Cross, Anna) (Entered: 11/01/2011)
11/01/2011	4 5	Roseboro Notice by U.S. DOJ, Federal Bureau of Investigation (Cross, Anna) (Entered: 11/01/2011)
11/01/2011	4 6	Notice of Hearing Date set for December 9, 2011 re 43 MOTION for Summary Judgment (Cross, Anna) (Entered: 11/01/2011)

11/02/2011		Set Deadlines as to 43 MOTION for Summary Judgment. Motion Hearing set for 12/9/2011 at 10:00 AM in Alexandria Courtroom 701 before District Judge Anthony J Trenga. (clar,) (Entered: 11/02/2011)
12/09/2011	4 7	Minute Entry for proceedings held before District Judge Anthony J Trenga: Motion Hearing held on 12/9/2011 re 43 MOTION for Summary Judgment filed by U.S. DOJ, Federal Bureau of Investigation: Appearance of counsel for the Deft only. Pro Se Pltf failed to appear and no opposition has been filed. 43 Motion for Summary Judgment GRANTED . Order to follow. (Court Reporter R. Montgomery) (kbro) (Entered: 12/09/2011)
12/09/2011	4 8	ORDER entered GRANTING 43 Motion for Summary Judgment filed by Deft US Dept of Justice, FBI: IT IS ORDERED that summary judgment be, and the same hereby is, GRANTED in favor of Defendant US Dept of Justice, FBI, and the Complaint be, and the same hereby is, DISMISSED with prejudice. This is a Final Order for purposes of appeal (<i>see Order details</i>). Signed by District Judge Anthony J Trenga on 12/09/2011. (kbro) (Entered: 12/09/2011)
12/09/2011	4 9	JUDGMENT - Pursuant to the order of this Court entered on December 9, 2011, and in accordance with Federal Rule of Civil Procedure 58, Judgment is hereby entered in favor of defendant U.S. Department of Justice. Signed by: Deputy Clerk. (kbro) (Entered: 12/09/2011)

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